

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

BOARD OF EDUCATION OF TRIAD COMMUNITY )	)	
UNIT SCHOOL DISTRICT NO.2, COUNTY OF )	)	
MADISON AND STATE OF ILLINOIS, )	)	
	)	
Plaintiff, )	)	
	)	
v. )	)	Case No.: 19-1214 JPG/MAB
	)	
CATLIN INDEMNITY COMPANY, )	)	
	)	
Defendant. )	)	

**MEMORANDUM AND ORDER**

In light of Seventh Circuit Court of Appeals admonitions, *see Foster v. Hill*, 497 F.3d 695, 696-97 (7th Cir. 2007), the Court has undertaken a rigorous initial review of pleadings to ensure that jurisdiction has been properly pled. The Court has noted the following defects in the jurisdictional allegations of the complaint (Doc. 1) filed by plaintiff Board of Education of Triad Community Unit School District No. 2, County of Madison and State of Illinois:

- **Failure to allege the citizenship of a corporation.** A corporation is a citizen of both the state of its principal place of business and the state of its incorporation. 28 U.S.C. § 1332(c)(1). The relevant pleading must affirmatively allege the specific states of incorporation and principal place of business of a corporate party. Dismissal is appropriate if a plaintiff fails to make such allegations. *Indiana Hi-Rail Corp. v. Decatur Junction Ry. Co.*, 37 F.3d 363, 366 n. 3 (7th Cir. 1994). Complaint alleges principal place of business but not state of incorporation of defendant.

The Court hereby **ORDERS** that Board of Education of Triad Community Unit School District No. 2, County of Madison and State of Illinois, shall have up to and including, November 26, 2019 to amend the faulty pleading to correct the jurisdictional defects. *See* 28 U.S.C. § 1653. Failure to amend the faulty pleading may result in dismissal of this case for lack of subject matter jurisdiction. Amendment of the faulty

pleading to reflect an adequate basis for subject matter jurisdiction will satisfy this order.

Plaintiff is directed to consult Local Rule 15.1 regarding amended pleadings and need not seek leave of Court to file such amended pleading.

**IT IS SO ORDERED.**

**DATED: November 12, 2019**

**s/J. Phil Gilbert**  
**U.S. DISTRICT JUDGE**